

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ASSOCIATION OF CLUB EXECUTIVES)	
OF DALLAS, INC, <i>et. al.</i> ,)	
)	Civil Action No.3:22-CV-00177-M
Plaintiffs,)	
)	
v.)	
)	
CITY OF DALLAS TEXAS,)	
Defendant.)	

JOINT MOTION FOR CONTINUANCE OF PRELIMINARY INJUNCTION HEARING

COME NOW Plaintiffs, Association of Club Executives of Dallas, Inc., Nick's Mainstage, Inc., Dallas PT's, dba PT's Mens Club -, Fine Dining Club, Inc., dba Silver City, TMCD Corporation, dba The Mens Club of Dallas, 11000 Reeder, LLC, dba Bucks Wild, AVM-AUS, Ltd., dba New Fine Arts Shiloh (collectively, "Plaintiffs") and the City of Dallas ("Defendant"), submits to the Court their Joint Motion for Continuance of Preliminary Injunction Hearing:

1. On January 28, 2022, the Court heard Plaintiffs' Motion for Temporary Restraining Order. Based upon Defendant's representation to the Court that the Dallas Police Department intended to notify the sexually oriented businesses affected by the passage of the ordinance that is the subject of the lawsuit before enforcing it, which would likely take two weeks, the Court entered an order denying the temporary restraining order without prejudice and set the Preliminary Injunction Hearing for on or before February 10, 2022 (the "Order").

2. In addition, in accordance with the Court's authority under the *Federal Rules of Civil Procedure*, the Court permitted discovery prior to the Rule 26 Conference which enabled the parties to take the necessary steps to present their case at the Preliminary Injunction hearing. The

parties have a conferred regarding discovery and believe that in order to gather and produce the requested documents and information, as well as conduct the depositions of key individuals with knowledge as requested, additional time is needed.

3. Accordingly, good cause exists to continue the preliminary injunction hearing and request is made that the preliminary injunction hearing be set after March 7, 2022, on the first available date for a full-day in-person hearing.

4. Defendant agrees that the portion of the ordinance that is the subject of this lawsuit will not be enforced prior to a ruling on the Motion for Preliminary Injunction hearing, provided that the hearing on said motion occur on or before the first available date for a full-day in-person hearing after March 7, 2022.

Respectfully submitted,

SHEILS WINNUBST
A Professional Corporation

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CERTIFICATE OF SERVICE

On the 2nd day of February, 2022, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the Court. I hereby certify that I have served all counsel and parties of record electronically or by another means authorized through Federal Rule of Civil Procedure 5(b)(2) and Local Rule 7.2.

/s/ Roger Albright

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